IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1297 OF 2006
IN
CRIMINAL APPEAL NO. 1243 OF 2006

Pravin Vishwanath Awachar ..Applicant
V/s
The State of Maharashtra ..Respondent.

Mr. S.P.Kadam, Advocate for the applicants.
Mr. D.P.Adsule, APP for the State.

WITH

CRIMINAL APPLICATION NO. 1344 OF 2006
IN
CRIMINAL APPEAL NO. 1046 OF 2006

Sachin Harischandra Deshmukh ..Applicant
V/s
State of Maharashtra ..Respondent.

Mr. Amin Solkar, Advocate for the applicant.
Mr. D.P.Adsule, APP for the State.

CORAM : J.H. BHATIA, J.

DATE : 28TH MARCH, 2007.

P.C.

. Heard Mr Kadam and Mr.Solkar, learned Counsel for the applicants and Mr.Adsule, learned APP for the State. Perused the copies of the record. The applicants in these two matters are original accused Nos. 1 and 2. They were convicted for the offence punishable under section 489A, 489B, 489C and 489D r/w

section 34 of Indian Penal Code and were sentenced to undergo R.I. for five years and to pay fine of Rs. 1000/- on each count. The substantive sentences on all counts are to run concurrently. The applicants have preferred appeals challenging the conviction and sentence. By these applications, they seek to be released on bail pending the appeals.

2. It appears that on receipt of information from the secrete source on 15/8/2005, Police Inspector Jairam More raided the house at Suyog Estate Agency Katemanivali and found accused Nos 1 and 2 present in that house. Accused No.1 was attending a Monitor of the computer. The screen of the monitor was showing the appearance of the currency notes of Rs. 100/-. The Counterfeit notes of denomination of Rs.100/- had been printed and they were cut to size by accused No.2 Sachin. It appears that 52 counterfeit notes of denomination of Rs.100/- and 59 counterfeit notes of denomination of Rs.100/- printed on fullscape papers, which were yet to be cut to size, were recovered from the room. The monitor, CPU, Printer, keyboard, and cutting articles were seized under panchanama from that room and accused Nos. 1 and 2 came to be arrested. It

was revealed that the scanner used for the purpose of scanning the currency notes was taken from P.W.4 Amarjeet Singh by accused No.1 Pravin under the pretext that he wanted to scan some family photographs and after that he had returned the scanner to Amarjeet Singh. The learned trial Court after hearing the evidence convicted and sentenced both the accused. After going thorough the material placed before the Court, it appears that serious offence of counterfeiting currency notes was committed. Both the applicants were found on the spot in the same room performing certain acts for the purpose of counterfeiting notes. In view of the facts it will not be in the interest of justice to grant bail to the present applicants. The learned Counsel for the applicants contended that the applicants are already in custody since August, 2005 and in view of the short period of sentence, they may be granted bail pending appeals. I am not convinced with this argument. To see that the appeals do not become infructious, the appeals may be expedited.

3. For the aforesaid reasons, both the applications stand rejected.

(J.H. BHATIA, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1243 OF 2006

Pravin Vishwanath Awachar ..Appellant
V/s
The State of Maharashtra ..Respondent.

Mr. S.P.Kadam, Advocate for the appellant.
Mr. D.P.Adsule, APP for the State.

WITH

CRIMINAL APPEAL NO. 1046 OF 2006

Sachin Harischandra Deshmukh ..Appellant
V/s
State of Maharashtra ..Respondent.

Mr. Amin Solkar, Advocate for the appellant.
Mr. D.P.Adsule, APP for the State.

CORAM : J.H. BHATIA, J.

DATE : 28TH MARCH, 2007.

P.C.

. The bail applications filed by the appellants are rejected. Therefore, the paper book be prepared at the earliest and in any case, within three months and thereafter the appeals be listed for final hearing.

Record and Proceeding be remitted back to the Sessions Court immediately.

(J.H. BHATIA, J.)